

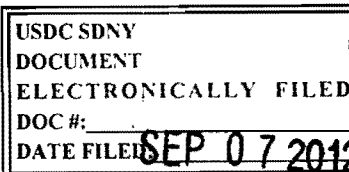
## ANDERSON KILL & OLICK, P.C.

Attorneys and Counselors at Law

1251 AVENUE OF THE AMERICAS ■ NEW YORK, NY 10020

TELEPHONE: 212-278-1000 ■ FAX: 212-278-1733

www.andersonkill.com



Alex D. Hardiman, Esq.  
ahardiman@andersonkill.com  
212-278-1588

**BY E-MAIL**

(forrestnysdchambers@nysd.uscourts.gov)

September 6, 2012

Honorable Katherine B. Forrest  
United States Courthouse  
500 Pearl Street  
New York, New York 10007-1312

Re: Illinois National Insurance Company v. Tutor Perini Corporation  
Index No. 11-cv-00431

Dear Judge Forrest:

We represent Defendant and Third-Party Plaintiff Tutor Perini Corporation ("Tutor Perini") in the above referenced matter. We would like to quickly address your Honor's endorsed letter dated September 6, 2012 granting Chartis' request for a reply extension. We do not wish to burden the Court with these matters, however, we feel that Chartis' letter dated August 31, 2012 requesting confirmation of the reply extension warrants a brief clarification regarding Tutor Perini's position.

In Chartis' letter, Chartis implies that Tutor Perini took a contrary position regarding whether Chartis and Lloyd's would be afforded a corresponding reply extension if Tutor Perini was granted an extension on their opposition. Tutor Perini is not in any position to tell the Court whether the parties should receive a corresponding reply extension or tell the parties if it did receive the extension. This is up to the Court's discretion. We merely suggested to Chartis that while Tutor Perini informed the Court it did not have a problem with the parties receiving the extension, they should confirm with the Court whether the reply extension was granted to be safe. Tutor Perini's suggestion was not to be argumentative as implied by Chartis' letter. Again, we will continue to work with the parties to resolve any disputes between the parties and without the Court's intervention whenever possible.

Respectfully submitted,

A handwritten signature in cursive script that reads "Alex Hardiman" followed by a circled "vr" (for verified).

Alex D. Hardiman

New York, NY ■ Newark, NJ ■ Philadelphia, PA ■ Ventura, CA ■ Washington, DC ■ Stamford, CT

**Anderson Kill & Olick, P.C.**

Honorable Katherine B. Forrest  
September 6, 2012  
Page 2

cc: Chartis' Counsel

John D. Hughes (JHughes@edwardswildman.com)  
Joshua W. Gardner (JGardner@edwardswildman.com)  
Richard McCarthy (RMcCarthy@edwardswildman.com)

Lloyd's Counsel

George Rockas (George.Rockas@wilsonelser.com)  
Jenson Varghese (Jensen.Varghese@wilsonelser.com)  
Peri K. Agulnek (Peri.Agulnek@wilsonelser.com)